

ATLANTA CITY COUNCIL

ACTION/MINUTES

JUNE 20, 2011

The Atlanta City Council held its Regularly Scheduled Meeting on Monday, June 20, 2011. The Meeting convened at 1:27 p.m. in the Council Chambers at City Hall. The roll was called and a quorum was declared.

PRESIDER (S): The Honorable Council President Ceasar C. Mitchell presided. The Honorable Council President Pro Tempore Joyce M. Sheperd presided a portion of the meeting.

Attendance:

The following (14) voting members were present at the Meeting:

The Honorable Carla Smith	The Honorable Felicia A. Moore
The Honorable Kwanza Hall	The Honorable C. T. Martin
The Honorable Ivory Young, Jr.	The Honorable Keisha Bottoms *2:22
The Honorable Cleta Winslow *1:48	The Honorable Joyce M. Sheperd
The Honorable Natalyn Archibong *2:22	The Honorable Michael J. Bond
The Honorable Alex Wan	The Honorable Aaron Watson *3:35
The Honorable Yolanda Adrean *1:33	The Honorable H. Lamar Willis

Councilmember Howard Shook was (Absent with Notice) absent.

***Arrival Time:** - indicates arrival after convening roll call.

INVOCATION: Bishop Barbara King of Hillside International Chapel & Truth Center gave the invocation.

PLEDGE OF ALLEGIANCE: In unison, the Council recited the Pledge of Allegiance to the flag of the United States of America.

REPORT OF THE JOURNAL: Rhonda Dauphin Johnson, Municipal Clerk, certified to the Council and the Committee on Council that the **Action/Minutes** of the **June 06, 2011** Regular Meeting are true and correct. The Minutes were **FILED** without objection.

REMARKS BY THE PUBLIC: During the Remarks by the Public, **Council President Ceasar C. Mitchell** stated the **allotted time allowed** for public speaking had **expired**. **Councilmember Martin** was recognized and made a **Motion** to **extend the time** an additional **thirty (30) minutes**. It was Seconded by Councilmember Moore and the Motion **CARRIED** by a roll call vote of **12 yeas; 0 nays**. Therefore, the time was extended for an additional thirty (30) minutes for public speaking.

6/20/11 Action Minutes

ADOPTION OF AGENDA: Councilmember Martin made a Motion to **Amend the Agenda** by moving the **Standing Committee of Finance/Executive to report first**. It was properly Seconded and **CARRIED** by a roll call vote of **13 yeas; 0 nays**. Following, **Councilmember Martin** made a Motion to **Adopt the Agenda as Amended**. It was properly Seconded and the Motion **CARRIED** by a roll call vote of **13 yeas; 0 nays**.

COMMUNICATIONS

Council President Ceasar C. Mitchell Presided

COMMUNICATIONS

- 11-C-0953 (1) A Communication by **Municipal Clerk Rhonda Dauphin Johnson** submitting a report of administrative corrections made to previously adopted legislation between the Council's regular meeting dates of June 06, 2011 and June 20, 2011 to the Atlanta City Council in accordance with Section 2-275 of the Atlanta City Code of Ordinances. (09-O-1948)
REFERRED TO FINANCE/EXECUTIVE COMMITTEE WITHOUT OBJECTION
- 11-C-0983 (2) A Communication by **Mayor Kasim Reed** appointing Mrs. Katrina Taylor-Parks as Acting Chief of Staff during the absence of Chief of Staff Candace Byrd.
FILED WITHOUT OBJECTION

VETOED LEGISLATION

Council President Ceasar C. Mitchell Presided

VETOED LEGISLATION

11-O-0788 (1) An Ordinance by **Councilmembers Felicia A. Moore, H. Lamar Willis, Joyce Sheperd, Cleta Winslow and Natalyn Archibong as Substituted by Public Safety and Legal Administration Committee** to amend Section 62-27.1 of the Code of Ordinances of the City of Atlanta, Georgia, so that effective June 13, 2011, the number of Municipal Court Judges shall decreased from ten (10) to eight (8); to waive conflicting ordinances; and for other purposes.

Municipal Clerk Rhonda Dauphin Johnson sounded the caption to Ordinance 11-O-0788 and the Mayor's Veto statement regarding the item. Following, Councilmember Moore was recognized and made a Motion to Override the Mayor's Veto. It was properly Seconded and an extensive discussion ensued, during which, Councilmember Willis Called the Question. It was properly Seconded and the Motion CARRIED by a roll call vote of 12 yeas; 1 nay. Subsequently, the Motion to Override FAILED by a roll call vote of 6 yeas; 7 nays. Therefore, the Mayor's Veto Sustains. Later during the meeting, A Motion was made to Reconsider the 11-O-0788. It was properly Seconded and CARRIED by a roll call vote of 12 yeas; 1 nay. The ordinance was before Council. The Motion to Override was then CARRIED and FAILED by a roll call vote of 7 yeas; 7 nays.

OVERRIDE FAILED BY A ROLL CALL VOTE OF 7 YEAS; 7 NAYS

UNFINISHED BUSINESS

Council President Ceasar C. Mitchell Presided

UNFINISHED BUSINESS

11-O-0779 (1) An Ordinance by **Councilmember Cleta Winslow** authorizing the installation of public art (Entitled "Comm-Unity Ties") at the Georgia Power Company's Substation located at **627 Whitehall Street, SW**, Atlanta, GA 30310 as pursuant to Code Section 16-28.025 of the 1982 Zoning Ordinance of the City of Atlanta; and for other purposes.

At the Regularly Scheduled meeting held June 06, 2011, Councilmember Winslow made a Motion for the item to remain Tabled. During this meeting, Municipal Clerk Rhonda Dauphin Johnson sounded the caption to Ordinance 11-O-0779. Following, Councilmember Winslow made a Motion to remove the item from the Table. It was properly Seconded and the Motion CARRIED by a roll call vote of 12 yeas; 0 nays. The ordinance was before Council. Councilmember Winslow then offered Amendment #1/#1 to attach a new artwork. It was properly Seconded and CARRIED by a roll call vote of 12 yeas; 0 nays. After which, Councilmember Winslow made a Motion to Adopt as Amended. Properly Seconded, the Motion CARRIED by a roll call vote of 12 yeas; 0 nays.

Note: After the vote, Councilmember Winslow made a Motion to send 11-O-0779 to the Mayor's Office immediately. It was properly Seconded and the Motion CARRIED by a roll call vote of 14 yeas; 0 nays. Therefore, the item was sent to the Mayor's Office for his signature.

**ADOPTED AS AMENDED BY A ROLL CALL VOTE OF 12 YEAS;
0 NAYS**

CONSENT AGENDA SECTION I

Council President Ceasar C. Mitchell Presided

CONSENT AGENDA

There was no separate discussion of the following items. If discussion on any item is desired, the item will be removed from the Consent Agenda and will be considered separately per Rules for the Conduct of Business of the Council of the City of Atlanta (As Amended), Rule XI; Order of Business, SECTION 11.2; Consent Agenda.

The following CONSENT AGENDA SECTION I received a Favorable Recommendation and was Adopted in accordance with Section 11.2 by the following roll call vote: **14 Yeas:** Councilmembers Smith, Hall, Young, Winslow, Archibong, Wan, Adrean, Moore, Martin, Bottoms, Sheperd, Bond, Watson and Willis: **0 Nays.**

SECTION I

ORDINANCES FOR SECOND READING

FINANCE/EXECUTIVE COMMITTEE
YOLANDA ADREAN, CHAIR

11-O-0861 (1) An Ordinance by **Finance/Executive Committee** to amend Ordinance Number 10-O-1556 to include the acquisition of additional equipment and vehicles for various departments within the City of Atlanta pursuant to the 1998A Master Lease Option Agreement between the City of Atlanta and the Georgia Municipal Association, Inc.; and for other purposes.
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;
0 NAYS

11-O-0941 (2) An Ordinance by **Councilmember C. T. Martin** authorizing the Mayor or his designee to waive Article X of the Real Estate and Procurement Code contained in the City of Atlanta Code of Ordinances in order to consent to an assignment of a Lease Agreement with Peachtree Fidelity I, LLC, for the Rental of Office Space located at 753 Juniper Street, Atlanta, Georgia, from the Georgia Bureau of Investigation, to the City of Atlanta on behalf of the Atlanta Police Department for the Atlanta High-Intensity-Drug-Trafficking-Area-Task-Force ("Atlanta HIDTA") through FY2011, to ratify the payment of rent pursuant to said agreement since June 30, 2005 in an amount not to exceed \$3,000,000.00 paid from a Grant from the White House Office of National Drug Control Policy ("ONDCP"), and to authorize the Chief Financial Officer to pay an outstanding invoice under said Lease Agreement in an amount not to exceed \$123,789.99 to be charged to and paid from a Grant from ONDCP through the FDOA Numbers listed; and for other purposes.
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;
0 NAYS

Council President Ceasar C. Mitchell Presided

CONSENT AGENDA (CONT'D)

SECTION I (CONT'D)

ORDINANCES FOR SECOND READING (CONT'D)

CITY UTILITIES COMMITTEE

NATALYN M. ARCHIBONG, CHAIR

- 11-O-0849 (3) A **Substitute** Ordinance by **City Utilities Committee** amending the 2011 (General Government Capital Outlay Fund) Budget, Department of Public Works by transferring to and from appropriations in the amount of \$292,167.00 to provide local match funds and by adding to anticipations and appropriations Transportation Improvement Funds in the amount of (\$725,833.00 for Federal Funds, and authorizing the Mayor, or his designee, to execute Project Framework Agreements between the City of Atlanta and the Georgia Department of Transportation for Design and Construction Services for the Glenwood Moreland LCI and D. L. Hollowell/Westlake LCI Projects; and for other purposes.
ADOPTED SUBSTITUTE ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS; 0 NAYS
- 11-O-0850 (4) An Ordinance by **City Utilities Committee** to amend Chapter 154 (Utilities), Articles II (Water and Sewer Billing and Collections Procedures), Section 154-26 (Water and Sewer Appeals Board) of the City of Atlanta, Code of Ordinances; and for other purposes.
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS; 0 NAYS
- 11-O-0856 (5) An Ordinance by **City Utilities Committee** to repeal Ordinance 10-O-1981 which renamed Harris Street to John Portman Boulevard; and for other purposes.
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS; 0 NAYS
- 11-O-0943 (6) An Ordinance by **Councilmembers Natalyn Archibong, Aaron Watson and H. Lamar Willis** to amend the Code of Ordinances of the City of Atlanta, Section 174 of Chapter 74 entitled "Graffiti Abatement" so as to amend the definition of the term "Graffiti" for the sole purpose of correcting the state law reference.
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS; 0 NAYS

Council President Ceasar C. Mitchell Presided

CONSENT AGENDA (CONT'D)

SECTION I (CONT'D)

ORDINANCES FOR SECOND READING (CONT'D)

COMMUNITY DEVELOPMENT/HUMAN RESOURCES COMMITTEE
JOYCE SHEPERD, CHAIR

11-O-0766 (7)
CDP-11-04 An Ordinance by **Community Development/Human Resources Committee** to amend the Land Use Element of the 2008 Atlanta Comprehensive Development Plan (CDP) so as to re-designate property that is located at **1119 Memorial Drive** from the “Low Density Commercial” Land Use Designation to the “Mixed Use Land Use” Designation (Z-11-09); and for other purposes. **(CDP Public Hearing held 6/13/11)**

NPU-N

Council District 5

ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;
0 NAYS

11-O-0780 (8) An Ordinance by **Councilmember Cleta Winslow** amending the Land Use Element of the City of Atlanta 2008 Comprehensive Development Plan (CDP) so as to re-designate properties located at **1172 and 1174 West Avenue, SW and 220 Boykin Street, SW**, from the “Single-Family Residential” Land Use Designation to the “Light Industrial” Land Use Designation; and for other purposes. **(Public Hearing held 6/13/11)**

NPU-V

Council District 4

ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;
0 NAYS

11-O-0814 (9) An Ordinance by **Community Development/Human Resources Committee** to adopt the Westview Neighborhood Master Plan; to amend the City of Atlanta 2008 Comprehensive Development Plan (CDP) so as to incorporate the Plan into the CDP; and for other purposes. **(Public Hearing held 6/13/11)**

ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;
0 NAYS

Council President Ceasar C. Mitchell Presided

CONSENT AGENDA (CONT'D)

SECTION I (CONT'D)

ORDINANCES FOR SECOND READING (CONT'D)

COMMUNITY DEVELOPMENT/HUMAN RESOURCES COMMITTEE (CONT'D)
JOYCE SHEPERD, CHAIR

- 11-O-0822 (10) A **Substitute** Ordinance by **Community Development/Human Resources Committee** to authorize the Mayor or his designee to accept a grant in the amount of \$25,000.00 for the purpose of implementing the Mayor's Institute for City Design Initiative, a Community Design Program managed by the National Endowment for the Arts; to amend the 2011 (Intergovernmental Grant Fund) Budget by adding to anticipations and appropriations in the amount of \$25,000.00; to authorize payment to the Atlanta BeltLine, Inc., in the amount of \$25,000.00; and for other purposes.
ADOPTED SUBSTITUTE ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS; 0 NAYS
- 11-O-0823 (11) A **Substitute** Ordinance by **Community Development/Human Resources Committee** authorizing the Mayor or his designee to accept a grant from the National Endowment for the Arts in the amount of \$40,000.00 for the purpose of funding the Cultural Experience Project in association with the Atlanta Public Schools; to amend the 2011 (Intergovernmental Grant Fund) Budget by adding to anticipations and appropriations in the amount of \$40,000.00; and for other purposes.
ADOPTED SUBSTITUTE ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS; 0 NAYS
- 11-O-0825 (12) A **Substitute** Ordinance by **Community Development/Human Resources Committee** authorizing the Mayor or his designee to accept a grant from the National Endowment for the Arts in the amount of \$25,000.00 for the purpose of funding the ARTSCool Program; to amend the 2011 (Intergovernmental Grant Fund) Budget by adding to anticipations and appropriations in the amount of \$25,000.00; and for other purposes.
ADOPTED SUBSTITUTE ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS; 0 NAYS
- 11-O-0826 (13) An Ordinance by **Community Development/Human Resources Committee** directing that the codification of the Atlanta Code of Ordinances be corrected by adding Section 110-3 Subsections (k) and (l) as set forth in Ordinance 08-O-0873 and 08-O-0885; and for other purposes.
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS; 0 NAYS

Council President Ceasar C. Mitchell Presided

CONSENT AGENDA (CONT'D)

SECTION I (CONT'D)

ORDINANCES FOR SECOND READING (CONT'D)

PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE
IVORY L. YOUNG, JR., CHAIR

- 11-O-0827 (14) An Ordinance by **Public Safety and Legal Administration Committee** amending the 2011 (Intergovernmental Fund Budget) by adding to anticipations and appropriations in the amount of \$93,000.00 from the Office of National Drug Control Policy ("ONDCP"), for the purpose of establishing an Administration Project to cover partial cost for the Department of Finance in the Administration of the High Intensity Drug Trafficking Area Program (HIDTA) and to transfer the Contract Coordinator Position from and to the PATEO Project Numbers listed; and for other purposes.
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;
0 NAYS
- 11-O-0939 (15) An Ordinance by **Councilmember Ivory L. Young, Jr.** to amend Chapter 98, Article II, Division 2, Section 98-70 (Qualifications for Eligibility) and Chapter 114, Article IV, Division 7, Subdivision II, Section 114-236, (Minimum Qualifications to Compete), so as to increase the number of years of continuous service as a sworn member of the Department of Police must possess before they are eligible to compete for the rank of Police Sergeant from three years to five years; to further amend Section 114-236 to include more specific descriptions of the appropriate City department wherein years of service must be completed in order for members to be eligible to compete for certain promotions; to repeal conflicting ordinances; and for other purposes.
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;
0 NAYS
- 11-O-0940 (16) An Ordinance by **Councilmember C. T. Martin** to waive the provisions of Chapter 10, Article II, Section 10-209 (c) and (d) of the Code of Ordinances of the City of Atlanta, Georgia so as to modify the Hours of Operation on Monday, July 4, 2011 (Independence Day), only, for all licensed establishments authorized to sell alcoholic beverages for on premises consumption; and for other purposes.
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;
0 NAYS

Council President Ceasar C. Mitchell Presided

CONSENT AGENDA (CONT'D)

SECTION I (CONT'D)

RESOLUTIONS

TRANSPORTATION COMMITTEE

C. T. MARTIN, CHAIR

- 11-R-0919 (1) A Resolution by **Transportation Committee** authorizing the Mayor to execute an Agreement with GSC Atlanta, Inc./Precision 2000, Inc., a Joint Venture, for Project Number FC-5223, Airfield Pavement Repair & Maintenance 2011 at Hartsfield-Jackson Atlanta International Airport in an amount not to exceed \$4,549,770.00. All services will be charged to and paid from the PTAE0 and FDOA Numbers listed; and for other purposes.
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;
0 NAYS
- 11-R-0920 (2) A Resolution by **Transportation Committee** authorizing the Mayor to execute a Reimbursable Agreement with Atlanta Airlines Terminal, Corporation for the Life Safety Upgrades-Terminal and Concourses Project at Hartsfield-Jackson Atlanta International Airport in an amount not to exceed \$3,100,000.00, to be charged to and paid from the PTAE0 and FDOA Numbers listed; and for other purposes.
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;
0 NAYS
- 11-R-0921 (3) A Resolution by **Transportation Committee** authorizing the Mayor to execute a Reimbursable Agreement with Atlanta Airlines Terminal, Corporation for Phases 2 and 3; Central Passenger Terminal Complex; Terminal and Concourses Miscellaneous Upgrades, for a cost to the City not to exceed \$2,960,455.00, to be charged to and paid from the PTAE0 and FDOA Numbers listed; and for other purposes.
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;
0 NAYS

FINANCE/EXECUTIVE COMMITTEE

YOLANDA ADREAN, CHAIR

- 11-R-0906 (4) A Resolution by **Finance/Executive Committee** authorizing the Chief Financial Officer to issue a refund to Swissport Cargo Services, L.P. in an amount not to exceed \$21,594.17 for Business License Fees paid in error to the City of Atlanta; all funds shall be charged to and paid from the FDOA Numbers listed; and for other purposes.
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;
0 NAYS

Council President Ceasar C. Mitchell Presided

CONSENT AGENDA (CONT'D)

SECTION I (CONT'D)

RESOLUTIONS (CONT'D)

FINANCE/EXECUTIVE COMMITTEE (CONT'D)
YOLANDA ADREAN, CHAIR

- 11-R-0908 (5) A **Substitute** Resolution by **Finance/Executive Committee** authorizing the Mayor or his designee to enter into a Cooperative Purchasing Agreement pursuant to Section 2-1601 et seq., of the City of Atlanta Code of Ordinances, utilizing Georgia Department of Administrative Services Contract Number SWCGTA000546-43 with IBM Corporation (an authorized reseller of Cisco Products) for the purchase of Cisco Hardware and Software for the City of Atlanta's Network Admission Control Solution on behalf of the Department of Information Technology, in an amount not to exceed \$108,474.00; all contracted work shall be charged to and paid from the FDOA Numbers listed; and for other purposes.
ADOPTED SUBSTITUTE ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS; 0 NAYS
- 11-R-0909 (6) A Resolution by **Finance/Executive Committee** authorizing the Mayor to enter into an Agreement pursuant to §2-1606 of the City of Atlanta Code of Ordinances with Vanderweil Facility Advisors, Inc. ("VFA"), utilizing the General Services Administration ("GSA") Contract No. GS-35F-0118J for the purchase of the VFA Facility Software System for the City of Atlanta, Department of Aviation, in an amount not to exceed \$70,000.00; to be charged to and paid from the FDOA Numbers listed; and for other purposes.
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS; 0 NAYS
- 11-R-0910 (7) A Resolution by **Finance/Executive Committee** authorizing the Mayor or his designee to enter into a Cooperative Purchasing Agreement pursuant to §§ 2-1602 and 2-1604 of the City of Atlanta Code of Ordinances of the City of Atlanta, Georgia, with CDW Government, LLC utilizing the General Services Administration ("GSA") Contract Number GS-35F-0195J for the purchase of seven (7) HP Blade Servers, in an amount not to exceed \$44,828.00; to be charged to and paid from the FDOA Numbers listed; and for other purposes.
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS; 0 NAYS

Council President Ceasar C. Mitchell Presided

CONSENT AGENDA (CONT'D)

SECTION I (CONT'D)

RESOLUTIONS (CONT'D)

FINANCE/EXECUTIVE COMMITTEE (CONT'D)
YOLANDA ADREAN, CHAIR

- 11-R-0915 (8) A Resolution by **Finance/Executive Committee** authorizing the Mayor to execute a Sole Source Purchase with NABCO, Inc., for Specialized Homeland Security Equipment, on behalf of the Department of Police, in an amount not to exceed \$304,400.00. All costs shall be charged to and paid from a Grant from the United States Department of Homeland Security through the FDOA Numbers listed; and for other purposes.

After the vote was taken on the Consent Agenda, Council made a Motion to send Resolution 11-R-0915 to the Mayor's Office immediately. It was properly Seconded and the Motion CARRIED by a roll call vote of 13 yeas; 0 nays. Therefore, the resolution was sent to the Mayor's Office for his signature.

**ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;
0 NAYS**

- 11-R-0932 (9) A **Substitute** Resolution by **Finance/Executive Committee** authorizing the Mayor to enter into Contract FC-5085, Post Production ERP Support with Oracle, Inc., for onsite support of Enterprise Resource Planning on behalf of the Department of Information Technology, in an amount not to exceed \$1,850,000.00 starting July 1, 2011; all contracted work to be charged to and paid from the FDOA Numbers listed; and for other purposes.

**ADOPTED SUBSTITUTE ON CONSENT BY A ROLL CALL VOTE
OF 14 YEAS; 0 NAYS**

- 11-R-0933 (10) A **Substitute** Resolution by **Finance/Executive Committee** authorizing the Mayor or his designee to enter into a Cooperative Purchasing Agreement pursuant to section 2-1601 et seq., of the City of Atlanta Code of Ordinances, with IBM Corporation for FC#5289 Cooperative Purchasing Agreement for the Installation and Implementation of the City of Atlanta's Network Admission Control Solution utilizing General Services Administration Contract Number GS-35F-4984H beginning June 20, 2011 and ending on October 30, 2011 on behalf of the Department of Information Technology, in an amount not to exceed \$171,750.00; all contracted work to be charged to and paid from the FDOA Numbers listed; and for other purposes.

**ADOPTED SUBSTITUTE ON CONSENT BY A ROLL CALL VOTE
OF 14 YEAS; 0 NAYS**

Council President Ceasar C. Mitchell Presided

CONSENT AGENDA (CONT'D)

SECTION I (CONT'D)

RESOLUTIONS (CONT'D)

FINANCE/EXECUTIVE COMMITTEE (CONT'D)
YOLANDA ADREAN, CHAIR

- 11-R-0935 (11) A Resolution by **Finance/Executive Committee** authorizing the Mayor or his designee to enter into an Agreement with Grady Memorial Hospital Corporation on behalf of the Atlanta Fire Rescue Department for the purpose of utilizing Grady Emergency Medical Services (MS) as the primary back-up service for emergency and non-emergency transportations at Hartsfield-Jackson Atlanta International Airport; and for other purposes.
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;
0 NAYS

CITY UTILITIES COMMITTEE
NATALYN M. ARCHIBONG, CHAIR

- 10-R-2126 (12) A **Substitute (#2)** Resolution by **City Utilities Committee** authorizing the Mayor to enter into an agreement with Rockdale Pipeline, Inc./Integral Municipal Services Corp. JV, for FC-5211, South River Basin – East Point Sewer Replacement, on behalf of the Department of Watershed Management, in an amount not to exceed \$13,088,451.19; all contracted work will be charged to and paid from Fund, Department Organization and Account Numbers and PTAEAO Numbers listed; and for other purposes.
ADOPTED SUBSTITUTE ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS; 0 NAYS
- 11-R-0743 (13) A Resolution by **City Utilities Committee** authorizing the Mayor to enter into an agreement with A & D Painting, Inc., for FC-5213, Annual Contract for Painting and Pressure Washing Services, on behalf of the Department of Watershed Management, in an amount not to exceed \$238,669.22; all contracted work shall be charged to and paid from Fund, Department Organization and Account Number listed; and for other purposes. (Held 5/10/11 for further discussion)
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;
0 NAYS

Council President Ceasar C. Mitchell Presided

CONSENT AGENDA (CONT'D)

SECTION I (CONT'D)

RESOLUTIONS (CONT'D)

CITY UTILITIES COMMITTEE (CONT'D)

NATALYN M. ARCHIBONG, CHAIR

- 11-R-0889 (14) A Resolution by **City Utilities Committee** authorizing the Mayor or his designee, to execute a Contract with SD&C, Inc., for FC-5149, Memorial Drive/SR 154 Sidewalk, Phase I Project, CM000-0000-00(608), P. I. No. 0000608, on behalf of the Department of Public Works, in an amount not to exceed \$376,295.25; all contracted work shall be charged to and paid from Various Fund, Department Account and Center Numbers; and for other purposes.
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;
0 NAYS
- 11-R-0890 (15) A Resolution by **City Utilities Committee** authorizing the Mayor, on behalf of the Department of Public Works, to issue a Task Order with Atlanta Services Group, JV, for FC-4906B, Annual Contract for Architectural and Engineering Services, to provide Technical Services to develop Computer-Aided Design Standards and prepare a Standard Details Report in an amount not exceed \$49,988.00; with all contracted work to be charged to and paid from the Fund, Department and Account Numbers and PTAE0 Funding Numbers listed; and for other purposes.
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;
0 NAYS
- 11-R-0891 (16) A Resolution by **City Utilities Committee** authorizing the Mayor, on behalf of the Department of Public Works, to execute a Local Public Road Acceptance Agreement with the Georgia Department of Transportation to return sections of Ivan Allen Boulevard, Jones Avenue, Haynes Street, and Simpson Street, CSSTP-006-00(952), P. I. Number 0006952, back to the official system of roads within the City of Atlanta; and for other purposes.
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;
0 NAYS
- 11-R-0893 (17) A Resolution by **City Utilities Committee** authorizing the Mayor, or his designee to execute a Contract with Georgia Development Partners, LLC, for FC-5145, Cascade-Mays Streetscape Improvements Project, Phase II for Project Number TEE-0006-00(570), P. I. No. 0006570, on behalf of the Department of Public Works, in an amount not to exceed \$525,050.05; all contracted work shall be charged to and paid from Various Fund, Department Account and Center Numbers; and for other purposes.
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;
0 NAYS

Council President Ceasar C. Mitchell Presided

CONSENT AGENDA (CONT'D)

SECTION I (CONT'D)

RESOLUTIONS (CONT'D)

CITY UTILITIES COMMITTEE (CONT'D)
NATALYN M. ARCHIBONG, CHAIR

- 11-R-0894 (18) A Resolution by **City Utilities Committee** authorizing the Mayor, or his designee, to enter into Amendment Agreement No. 4, Annual Contract with HDR Engineering, Inc., for FC-6005007887D, Professional Design Services for Various Quality of Life Projects to provide funding for additional Design, Environmental, Right-of-Way Services, and Construction Administration for the Memorial Drive Sidewalk, Phase I, II, and III, Cascade-Mays Streetscape, and Southwest Atlanta Sidewalk Projects, on behalf of the Department of Public Works in an amount not to exceed \$233,685.00; all contracted work being charged to and paid from Various Fund, Department Account and Center Numbers; and for other purposes.
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;
0 NAYS
- 11-R-0895 (19) A Resolution by **City Utilities Committee** authorizing the Mayor to Encumber Year Two (2) funding for FC-4939, Annual Contract for Centrifuge Repair and Maintenance with Decanter Machine, Inc., on behalf of the Department of Watershed Management in the amount not to exceed \$272,064.00; all contracted work will be charged to and paid from the listed Fund, Department Organization and Account Numbers; and for other purposes.
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;
0 NAYS
- 11-R-0922 (20) A Resolution by **City Utilities Committee** authorizing the Mayor, or his designee, to enter into a Right-of-Way Mowing and Maintenance Agreement with the Georgia Department of Transportation for Mowing and Maintenance Services along portions of Glenwood Avenue, SE which are under the control of the Georgia Department of Transportation; and for other purposes.
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;
0 NAYS

Council President Ceasar C. Mitchell Presided

CONSENT AGENDA (CONT'D)

SECTION I (CONT'D)

RESOLUTIONS (CONT'D)

COMMUNITY DEVELOPMENT/HUMAN RESOURCES COMMITTEE
JOYCE SHEPERD, CHAIR

11-R-0942 (21) A Resolution by **Councilmember Michael J. Bond as Amended by Community Development/Human Resources Committee** requesting that the Commissioner of Parks, Recreation and Cultural Affairs review the policies that govern events in the City's parks, with specific focus on determining the appropriate type of activity and the appropriate size of an event for each of the City's parks; that the Commissioner of Parks, Recreation and Cultural Affairs present the findings of said review to the City Council no later than March 31, 2012; and for other the purposes.
ADOPTED AS AMENDED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS; 0 NAYS

11-R-0813 (22) A **Substitute** Resolution by **Community Development/Human Resources Committee** transmitting the Draft 2012-2016 Capital Improvements Program (CIP) -Short Term Work Program (STWP) and the Community Agenda of the 2011 Comprehensive Development Plan (CDP) to the Atlanta Regional Commission in compliance with the requirements of the Georgia Planning Act of 1989; and for other purposes. (CDP Public Hearing held 6/13/11)
ADOPTED SUBSTITUTE ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS; 0 NAYS

PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE
IVORY L. YOUNG, JR., CHAIR

11-R-0870 (23) A Resolution by **Public Safety and Legal Administration Committee** authorizing the settlement of all claims against the City of Atlanta in the case of Michael Ellis v. City of Atlanta, Georgia, Civil Action File No. 2010-CV-182963, Fulton County Superior Court, in the total amount of \$72,500.00; authorizing said payment to be paid from the Fund, Center Number and Account listed; authorizing the Chief Financial Officer to distribute the settlement amount; and for other purposes.
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS; 0 NAYS

Council President Ceasar C. Mitchell Presided

CONSENT AGENDA (CONT'D)

SECTION I (CONT'D)

RESOLUTIONS (CONT'D)

PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE (CONT'D)
IVORY L. YOUNG, JR., CHAIR

- 11-R-0911 (24) A Resolution by **Public Safety and Legal Administration Committee** authorizing the Mayor to enter into a Maintenance Agreement with Oracle America, Inc., pursuant to the State of Georgia Contract GS-35F-0009T, for Database and Maintenance Support, on behalf of the Municipal Court of Atlanta for a period of one (1) year in FY12, in an amount not to exceed \$44,395.00; all costs to be charged to the Fund, Department, Account, and Function Activity listed; and for other purposes.
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;
0 NAYS
- 11-R-0912 (25) A Resolution by **Public Safety and Legal Administration Committee** authorizing the Mayor to enter into a Maintenance Agreement with Advanced Public Safety, pursuant to the State of Georgia Contract GS-35F-0009U, for Software Maintenance Support, on behalf of the Municipal Court of Atlanta for a period of one (1) year in FY12, in an amount not to exceed \$36,000.00; all costs to be charged to the Fund, Department, Account, and Function Activity listed; and for other purposes.
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;
0 NAYS
- 11-R-0913 (26) A Resolution by **Public Safety and Legal Administration Committee** authorizing the Mayor to enter into a Maintenance Agreement with Courtview Justice Solutions, pursuant to FC-6004007843, Automated Court Case Management System, on behalf of the Municipal Court of Atlanta for a period of one (1) year in FY12, in an amount not to exceed \$155,456.00; all costs to be charged to the Fund, Department, Account, and Function Activity listed; and for other purposes.
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;
0 NAYS
- 11-R-0916 (27) A Resolution by **Public Safety and Legal Administration Committee** authorizing the Mayor to enter into a Maintenance Agreement with CourtSmart Digital Systems, pursuant to the State of Georgia Contract GS-03F-8028H, for Video Recording Software, on behalf of the Municipal Court of Atlanta for a period of one (1) year in FY12, in an amount not to exceed of \$50,000.00; all costs to be charged to the Fund, Department, Account, and Function Activity listed; and for other purposes.
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;
0 NAYS

Council President Ceasar C. Mitchell Presided

CONSENT AGENDA (CONT'D)

SECTION I (CONT'D)

RESOLUTIONS (CONT'D)

PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE (CONT'D)
IVORY L. YOUNG, JR., CHAIR

- 11-R-0936 (28) A Resolution by **Councilmembers Michael J. Bond, Joyce Sheperd, Alex Wan, Aaron Watson, H. Lamar Willis, Keisha Lance Bottoms, Ivory L. Young and Carla Smith as Amended by Public Safety and Legal Administration Committee** to establish the City of Atlanta Alcohol Technical Advisory Group II (ATAG II) for the purpose of performing a complete and comprehensive review of the City of Atlanta's Alcohol Beverage Licensing process and the enforcement of the laws pertaining to the licensing, sale and regulation of alcoholic beverages in the City of Atlanta; as a result of its review, for ATAG II to provide recommendations to the Mayor and City Council within six (6) months of its first meeting; and for other purposes.
ADOPTED AS AMENDED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS; 0 NAYS

Claims with favorable recommendations:

- 11-R-0867 (1) Claim of **Stephen Stiglicz (DPRCA/06)**, for damages alleged to have been sustained as a result of a tree falling onto his property on September 12, 2010 at 1114 Reeder Circle. **\$614.68**
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS; 0 NAYS
- 11-R-0868 (2) Claim of **Tiffany Austin (DWM/03)**, for damages alleged to have been sustained as a result of driving over an improperly repaired construction site on February 15, 2011 at 1247 Donald L. Hollowell Parkway. **\$766.33**
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS; 0 NAYS
- 11-R-0869 (3) Claim of **William McGill (APD/02)**, for bodily injuries alleged to have been sustained from an automobile accident on May 20, 2010 at Martin Luther King, Jr. Drive and Central Avenue. **\$12,500.00**
ADOPTED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS; 0 NAYS

Council President Ceasar C. Mitchell Presided

CONSENT AGENDA (CONT'D)

SECTION I (CONT'D)

RESOLUTIONS/CLAIMS (CONT'D)

PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE (CONT'D)
IVORY L. YOUNG, JR., CHAIR

Claims with unfavorable recommendations:

- 11-R-0871 (4) Claim of **Haylene Green (DWM/04)**, for damages alleged to have been sustained as a result of driving over an uncovered manhole on July 31, 2010 at Donnelly Avenue and Beecher Street.
ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;
0 NAYS
- 11-R-0872 (5) Claim of **Brenda Burch (DPW/05)**, for damages alleged to have been sustained as a result of a vehicular accident on March 28, 2011 on Arizona Avenue and LaFrance Avenue.
ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;
0 NAYS
- 11-R-0873 (6) Claim of **Georgia Farm Bureau Insurance Company, as subrogee of Shaun Johnson, through its attorney, Ronald W. Parnell (APD/02)**, for damages alleged to have been sustained as a result of a vehicular accident on October 13, 2009 at Peachtree Street near Mitchell Street.
ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;
0 NAYS
- 11-R-0874 (7) Claim of **William Mamrack (NA/07)**, for damages alleged to have been sustained as a result of driving over a pothole on March 17, 2011 at Interstate 85 ramp at Monroe Drive.
ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;
0 NAYS
- 11-R-0875 (8) Claim of **Rachel Dampier, through her attorney, Duncan Harle (NA/04)**, for damages alleged to have been sustained as a result of a damaged ceiling on April 13, 2011 at 879 Victoria Place.
ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;
0 NAYS
- 11-R-0876 (9) Claim of **Gary Brooks, through his attorney, Scott Harrison (NA/09)**, for damages alleged to have been sustained as a result of a vehicular accident on October 25, 2010 at South Elizabeth Place at Donald Lee Hollowell Parkway.
ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;
0 NAYS

Council President Ceasar C. Mitchell Presided

CONSENT AGENDA (CONT'D)

SECTION I (CONT'D)

RESOLUTIONS/CLAIMS (CONT'D)

PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE (CONT'D)
IVORY L. YOUNG, JR., CHAIR

Claims with unfavorable recommendations: (Cont'd)

- 11-R-0877 (10) Claim of **Hazel Roberts (DWM/04)**, for damages alleged to have been sustained as a result of driving over an uncovered manhole on July 31, 2010 at Donnelly Avenue and Beecher Street.
ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;
0 NAYS
- 11-R-0878 (11) Claim of **Towana Lauralian, through his attorney, Marvin Arrington (JUD/02)**, for damages alleged to have been sustained as a result of an arrest due to an outstanding bench warrant on May 11, 2010 at 150 Garnett Street.
ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;
0 NAYS
- 11-R-0879 (12) Claim of **Yolanda Covington, through her attorney, Angie Walton (NA/01)**, for damages alleged to have been sustained as a result of a trip and fall incident on February 7, 2011 at 600 Martin Street.
ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;
0 NAYS
- 11-R-0880 (13) Claim of **Ernest Hampton (NA/12)**, for damages alleged to have been sustained as a result of driving over a storm sewer drain on February 2, 2011 at Metropolitan Parkway near Claire Drive.
ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;
0 NAYS
- 11-R-0881 (14) Claim of **Chrystale Wilson (NA/NA)**, for damages alleged to have been sustained as a result of driving over a pothole on March 5, 2011 at Atlanta Road at Pine Street.
ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;
0 NAYS
- 11-R-0882 (15) Claim of **Alan Baitcher, through his attorney, Marvin Arrington (JUD/02)**, for damages alleged to have been sustained as a result of an arrest on July 27, 2010 at 150 Garnett Street.
ADVERSED ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;
0 NAYS

Council President Ceasar C. Mitchell Presided

CONSENT AGENDA (CONT'D)

SECTION I (CONT'D)

RESOLUTIONS/CLAIMS (CONT'D)

PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE (CONT'D)
IVORY L. YOUNG, JR., CHAIR

Claims with unfavorable recommendations: (Cont'd)

- 11-R-0883 (16) Claim of **People TV c/o Teddy Lewis (DWM/02)**, for damages alleged to have been sustained during the relocation of a water meter between July 2, 2009 and July 7, 2009 at 190 14th Street, NW.
ADVERSE ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;
0 NAYS
- 11-R-0884 (17) Claim of **People TV c/o Rebecca Hernandez (DWM/02)**, for damages alleged to have been sustained as a result of a sewer backup between March, 2008 and December 2008 at 190 14th Street, NW.
ADVERSE ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;
0 NAYS
- 11-R-0885 (18) Claim of **Jennifer C. Rankin (DWM/07)**, for damages alleged to have been sustained during the repair of a water meter on March 20, 2008 at 277 Lakeview Avenue, NE.
ADVERSE ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;
0 NAYS
- 11-R-0886 (19) Claim of **Jerry Jones, through his attorney, Sam L. Starks (DWM/03)**, for damages alleged to have been sustained as a result of storm water overflow between September 26, 2010 and March 15, 2011.
ADVERSE ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;
0 NAYS
- 11-R-0887 (20) Claim of **Ruby Rhodes, through her attorney, Audrey Tolson (DPW/10)**, for damages alleged to have been sustained as a result of being struck by a Cobb County Transit vehicle on January 19, 2011 at Martin Luther King, Jr. Drive at H. E. Holmes Drive.
ADVERSE ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;
0 NAYS
- 11-R-0888 (21) Claim of **Christopher Blaise (DWM/12)**, for damages alleged to have been sustained as a result of driving over a raised manhole on March 11, 2011 at 3613 Oakshire Way.
ADVERSE ON CONSENT BY A ROLL CALL VOTE OF 14 YEAS;
0 NAYS

CONSENT AGENDA SECTION II

Council President Ceasar C. Mitchell Presided

CONSENT AGENDA

SECTION II

ORDINANCES FOR FIRST READING

TRANSPORTATION COMMITTEE

C. T. MARTIN, CHAIR

All items on Consent Agenda Section II (01 through 06 and 10 through 15 as follows) were Referred to the appropriate committees as a collective vote.

- 11-O-0918 (1) An Ordinance by **Transportation Committee** to amend the FY 2011 [Airport Renewal and Extension Fund (5502), the Airport Passenger Facility Charge Fund (5505), the 2004 Airport Revenue Bond Fund (5507), the 2004 Airport PFC Bond Fund (5508), and the 2004 Airport Revenue Bond Fund F-K (5509)] Budgets by transferring to and from appropriations a total amount of \$7,952,117.00 for reimbursement of the Renewal and Extension Fund, a total amount of \$237,041.00 for reimbursement of the 2004 Airport Revenue Bond Fund, a total amount of \$483,284.00 for reimbursement of the 2004 Airport Revenue Bond Fund F-K; and for other purposes.

REFERRED TO TRANSPORTATION COMMITTEE BY A ROLL CALL VOTE OF 12 YEAS; 0 NAYS

FINANCE/EXECUTIVE COMMITTEE

YOLANDA ADREAN, CHAIR

- 11-O-0902 (2) An Ordinance by **Finance/Executive Committee** authorizing the Mayor to accept and appropriate Interest Income from the certain Lease Purchase Agreement with Motorola as defined in the Escrow Agreement between the City of Atlanta, Motorola and Bank of New York Trust Company as Escrow Agent in the amount of \$685,799.39 from the Motorola Radio Upgrade Equipment Acquisition Fund to fund the Operation Shield Video Surveillance Program; and for other purposes.

REFERRED TO FINANCE/EXECUTIVE COMMITTEE BY A ROLL CALL VOTE OF 12 YEAS; 0 NAYS

- 11-O-0903 (3) An Ordinance by **Finance/Executive Committee** authorizing the Chief Financial Officer to pay certain outstanding invoices on behalf of the Department of Watershed Management to Steamatic of Greater Atlanta for an amount not to exceed \$180,000.00 for certain services rendered by Steamatic of Greater Atlanta, Inc.; to waive Article X of the Real Estate and Procurement Code, including Section 2-1190 for Small Purchases; all contracted work to be charged to and paid from the FDOA Numbers listed; and for other purposes.

REFERRED TO FINANCE/EXECUTIVE COMMITTEE BY A ROLL CALL VOTE OF 12 YEAS; 0 NAYS

Council President Ceasar C. Mitchell Presided

CONSENT AGENDA (CONT'D)

SECTION II (CONT'D)

ORDINANCES FOR FIRST READING (CONT'D)

FINANCE/EXECUTIVE COMMITTEE (CONT'D)

YOLANDA ADREAN, CHAIR

- 11-O-0904 (4) An Ordinance by **Finance/Executive Committee** authorizing the Chief Financial Officer to pay certain outstanding and future invoices to Konica Minolta Business Solutions, USA, Inc. on behalf of the Department of Watershed Management for Copier Leases and Maintenance Services in an amount not to exceed \$125,266.94; to waive Article X of the Real Estate and Procurement Code, including Section 2-1190 for Small Purchases; all contracted work to be charged to and paid from the FDOA numbers listed; to ratify leases and maintenance agreements for certain copiers purchased from Konica Minolta Business Solutions, USA, Inc.; and for other purposes.
REFERRED TO FINANCE/EXECUTIVE COMMITTEE BY A ROLL CALL VOTE OF 12 YEAS; 0 NAYS
- 11-O-0934 (5) An Ordinance by **Finance/Executive Committee** authorizing the Chief Financial Officer to pay certain outstanding and future invoices on behalf of the Department of Watershed Management to Interpark, Inc., for Parking Services in an amount not to exceed \$26,220.00; to waive Article X of the Real Estate and Procurement Code, including Section 2-1190 for small purchases; all outstanding and future invoices shall be charged to and paid from the FDOA Numbers listed; and for other purposes.
REFERRED TO FINANCE/EXECUTIVE COMMITTEE BY A ROLL CALL VOTE OF 12 YEAS; 0 NAYS
- 11-O-0949 (6) An Ordinance by **Finance/Executive Committee** authorizing the Mayor and the Chief Financial Officer to transfer funds from Fund 1001.230201.5111003.3520000 (General Fund) to Fund 5502.000002.3921001.0000000 (Enterprise Fund) in the amount of \$8,000.00 on behalf of the Department of Fire Rescue for the purpose of purchasing two used Fire Apparatus to enhance the Department's Reserve Fleet; and for other purposes.
REFERRED TO FINANCE/EXECUTIVE COMMITTEE BY A ROLL CALL VOTE OF 12 YEAS; 0 NAYS

Council President Ceasar C. Mitchell Presided

CONSENT AGENDA (CONT'D)

SECTION II (CONT'D)

ORDINANCES FOR FIRST READING (CONT'D)

FINANCE/EXECUTIVE COMMITTEE (CONT'D)
YOLANDA ADREAN, CHAIR

Ordinances (07 through 09 as follows) were taken as a collective vote.

- 11-O-0950 (7) An Ordinance by **Finance/Executive Committee** to enact the 2011 Amendment to the General Employees Pension Fund Act (1927 Ga. Laws, Page 265, particularly as amended by the 1978 Pension Act (1978 Ga. Laws, Page 4546) so as to create Section 6-37.1 of the Related Laws Section of Volume I containing the Charter and Code of Ordinances of the City of Atlanta, Georgia, which amendment shall: 1) to exempt permanent, full-time, active officers and employees hired before January 1, 1984 from the provisions of this amendment; 2) provide for a temporary adjustment to the employee contribution; 3) create new pension benefits and obligations with respect to the Defined Benefit Plan for eligible employees hired on or after November 1, 2011; and 4) to afford current participants in the City's Defined Contribution Plan the right to begin participation for future service in the City's Defined Benefit Plan; to waive conflicting Laws, Ordinances and Code Sections; and for other purposes.

Councilmember Moore made a Motion to Table Ordinances (11-O-0950, 11-O-0951 and 11-O-0952) for discussion at the Special Called Meeting to be held on June 23, 2011. Without Objection, the Motion CARRIED by a roll call vote of 11 yeas; 2 nays.

TABLED BY A ROLL CALL VOTE OF 11 YEAS; 2 NAYS

Council President Ceasar C. Mitchell Presided

CONSENT AGENDA (CONT'D)

SECTION II (CONT'D)

ORDINANCES FOR FIRST READING (CONT'D)

FINANCE/EXECUTIVE COMMITTEE (CONT'D)

YOLANDA ADREAN, CHAIR

- 11-O-0951 (8) An Ordinance by **Finance/Executive Committee** to enact the 2011 Amendment to the Firefighters Pension Fund Act (1924 Ga. Laws, Page 167, particularly as amended by the 1978 Pension Act (1978 Ga. Laws, Page 4508) so as to create Section 6-367.1 of the Related Laws Section of Volume I containing the Charter and Code of Ordinances of the City of Atlanta, Georgia, which amendment shall: 1) to exempt permanent, full-time, active officers and employees hired before January 1, 1984 from provisions of this amendment; 2) provide for a temporary adjustment to the employee contribution; 3) create new pension benefits and obligations with respect to the Defined Benefit Plan for eligible employees hired on or after November 1, 2011; and 4) to afford current participants in the City's Defined Contribution Plan the right to begin participation for future service in the City's Defined Benefit Plan; to waive conflicting Laws, Ordinances and Code Sections; and for other purposes.

Councilmember Moore made a Motion to Table Ordinances (11-O-0950, 11-O-0951 and 11-O-0952) for discussion at the Special Called Meeting to be held on June 23, 2011. Without Objection, the Motion CARRIED by a roll call vote of 11 yeas; 2 nays.

TABLED BY A ROLL CALL VOTE OF 11 YEAS; 2 NAYS

Council President Ceasar C. Mitchell Presided

CONSENT AGENDA (CONT'D)

SECTION II (CONT'D)

ORDINANCES FOR FIRST READING (CONT'D)

FINANCE/EXECUTIVE COMMITTEE (CONT'D)

YOLANDA ADREAN, CHAIR

- 11-O-0952 (9) An Ordinance by **Finance/Executive Committee** to enact the 2011 Amendment to the Police Officers Pension Fund Act (1933 Ga. Laws, Page 213, particularly as amended by the 1978 Pension Act (1978 Ga. Laws, Page 4527) so as to create Section 6-222.1 of the Related Laws Section of Volume I containing the Charter and Code of Ordinances of the City of Atlanta, Georgia, which amendment shall: 1) to exempt permanent, full-time, active officers and employees hired before January 1, 1984 from provisions of this amendment; 2) provide for a temporary adjustment to the employee contribution; 3) create new pension benefits and obligations with respect to the Defined Benefit Plan for eligible employees hired on or after November 1, 2011; and 4) to afford current participants in the City's Defined Contribution Plan the right to begin participation for future service in the City's Defined Benefit Plan; to waive conflicting Laws, Ordinances and Code Sections; and for other purposes.

Councilmember Moore made a Motion to Table Ordinances (11-O-0950, 11-O-0951 and 11-O-0952) for discussion at the Special Called Meeting to be held on June 23, 2011. Without Objection, the Motion CARRIED by a roll call vote of 11 yeas; 2 nays.

TABLED BY A ROLL CALL VOTE OF 11 YEAS; 2 NAYS

CITY UTILITIES COMMITTEE

NATALYN M. ARCHIBONG, CHAIR

- 11-O-0897 (10) An Ordinance by **City Utilities Committee** authorizing the Chief Financial Officer to amend the FY 2011 Budget (DWM 2004 Water & Wastewater Bond Fund (5058)) Budget, in the amount of \$17,631,571.36; to transfer funds for realignment from RM Clayton Flood Repair Project to the Capital Projects Reserve for Appropriations; and for other purposes.

REFERRED TO CITY UTILITIES COMMITTEE BY A ROLL CALL VOTE OF 12 YEAS; 0 NAYS

Council President Ceasar C. Mitchell Presided

CONSENT AGENDA (CONT'D)

SECTION II (CONT'D)

ORDINANCES FOR FIRST READING (CONT'D)

CITY UTILITIES COMMITTEE (CONT'D)

NATALYN M. ARCHIBONG, CHAIR

- 11-O-0898 (11) An Ordinance by **City Utilities Committee** authorizing the Mayor, on behalf of the Department of Public Works, to enter into an Encroachment Agreement for Non-Conforming Uses with the William Oliver Condominium Association, Inc., owner of real property located at 32 Peachtree Street, NW for the purpose of permitting an existing basement which presently extends into the public right-of-way; to waive the applications fee and yearly inspection fees; and for other purposes.

REFERRED TO CITY UTILITIES COMMITTEE BY A ROLL CALL VOTE OF 12 YEAS; 0 NAYS

- 11-O-0899 (12) An Ordinance by **City Utilities Committee** authorizing the Mayor, on behalf of the Department of Public Works, to enter into an Encroachment Agreement for Non-Conforming Uses with the Bank Building, LP, owner of real property located at 55 Marietta Street, NW, for the purpose of permitting an existing basement with presently extends into the public right-of-way; to waive the applications fee and yearly inspection fees; and for other purposes.

REFERRED TO CITY UTILITIES COMMITTEE BY A ROLL CALL VOTE OF 12 YEAS; 0 NAYS

COMMUNITY DEVELOPMENT/HUMAN RESOURCES COMMITTEE

JOYCE SHEPERD, CHAIR

- 11-O-0900 (13) An Ordinance by **Community Development/Human Resources Committee** to amend Ordinance 08-O-1716, adopted by the Atlanta City Council on October 6, 2008, and approved by the Mayor on October 14, 2008, by including the Fund, Department, Organization and Account Numbers in which the position of Arborist Senior within the Department of Parks, Recreation and Cultural Affairs will be paid from; and for other purposes.

REFERRED TO COMMUNITY DEVELOPMENT/HUMAN RESOURCES COMMITTEE BY A ROLL CALL VOTE OF 12 YEAS; 0 NAYS

Council President Ceasar C. Mitchell Presided

CONSENT AGENDA (CONT'D)

SECTION II (CONT'D)

ORDINANCES FOR FIRST READING (CONT'D)

COMMUNITY DEVELOPMENT/HUMAN RESOURCES COMMITTEE (CONT'D)
JOYCE SHEPERD, CHAIR

- 11-O-0901 (14) An Ordinance by **Community Development/Human Resources Committee** amending Section 158-66 of the City of Atlanta Code of Ordinances to authorize the funding of three new employees of the Department of Parks, Recreation and Cultural Affairs who shall be responsible for the trimming and maintenance of trees within the City; to authorize the salary and benefits of the new employees be paid from the Tree Trust Fund; and for other purposes.
REFERRED TO COMMUNITY DEVELOPMENT/HUMAN RESOURCES COMMITTEE BY A ROLL CALL VOTE OF 12 YEAS; 0 NAYS

PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE
IVORY L. YOUNG, JR., CHAIR

- 11-O-0931 (15) An Ordinance by **Public Safety and Legal Administration Committee** authorizing the Mayor, on behalf of the Department of Fire Rescue, to accept a grant from the U. S. Department of Homeland Security under the FY2010 Staffing for Adequate Fire and Emergency Response (SAFER) Grant in the amount of \$9,793,068.00 for the purpose of hiring 75 new Firefighter positions; and for other purposes.
REFERRED TO PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE BY A ROLL CALL VOTE OF 12 YEAS; 0 NAYS

COMMITTEE REPORTS

Council President Ceasar C. Mitchell Presided

COMMITTEE REPORTS

FINANCE/EXECUTIVE COMMITTEE (1)
YOLANDA ADREAN, CHAIR

ORDINANCES FOR SECOND READING

Attendance at the June 15, 2011 meeting of the Finance/Executive Committee was as follows:

Present: Councilmembers Adrean (Chair), Moore, Martin, Willis, Shook and Wan

Absent: Councilmember Watson

11-O-0638 (1) An **Amended** Ordinance by **Finance/Executive Committee** adopting the Fiscal Year 2012 Proposed Budget, to include all funds; and for other purposes.

Chairperson Adrean sounded the caption to Ordinance 11-O-0638 and stated the committee forwarded with No Recommendation as Amended. As prerogative as Chair, Mrs. Adrean made a Motion to Table. Without Objection, the Motion CARRIED by a roll call vote of 14 yeas; 0 nays.

TABLED AS AMENDED BY A ROLL CALL VOTE OF 14 YEAS; 0 NAYS

Council President Pro Tempore Joyce Sheperd Presided

11-O-0672 (2) An Ordinance by **Councilmembers Aaron Watson, H. Lamar Willis, Keisha Lance Bottoms, Yolanda Adrean, Howard Shook, Alex Wan and Ivory Lee Young, Jr., as Substituted (#3) and Amended by Finance/Executive Committee** to create a new Section 6-2 in the City of Atlanta Charter so as to provide a Retirement Program for all eligible City employees for services rendered on and after November 1, 2011, which shall include: reducing the multiplier used to calculate all pension benefits to 1%; reducing the maximum cost of living adjustment on all pension benefits to 1%; offering all current employees the option of joining Social Security; requiring all future employees to join Social Security; clarifying that the retirement benefits accrued prior to November 1, 2011 shall remain unchanged; clarifying that the pension benefits accumulated by active employees hired prior to January 1, 1984 shall remain unchanged; clarifying that the pension benefits of employees who retired prior to November 1, 2011 shall remain unchanged; and for other purposes.

Council President Ceasar C. Mitchell Presided

COMMITTEE REPORTS (CONT'D)

FINANCE/EXECUTIVE COMMITTEE (2)
YOLANDA ADREAN, CHAIR

ORDINANCES FOR SECOND READING (CONT'D)

Council President Pro Tempore Joyce Sheperd Presided

11-O-0672 (2)
(Cont'd)

Chairperson Adrean sounded the caption to Ordinance 11-O-0672 and stated the legislation was forwarded from committee with No Recommendation on Substitute as Amended. As prerogative as Chair, Mrs. Adrean made a Motion to Table. It was properly Seconded, however, withdrew her Motion for further discussion. Subsequently, Council deferred the item to later during the meeting. Returning back to 11-O-0672, Chairperson Adrean sounded the caption to the Substitute and made a Motion to Table the ordinance for the Special Called Meeting to be held June 23, 2011. It was Seconded by Councilmember Martin and the Motion CARRIED by a roll call vote of 11 yeas; 2 nays. However, upon further discussion, Councilmember Bond made a Motion to remove 11-O-0672 off the Table. It was Seconded by Councilmember Archibong and a brief discussion ensued. After which, the Motion to remove off the Table CARRIED by a roll call vote of 8 yeas; 6 nays. The ordinance was before Council. Councilmember Bond then offered Amendment #1/#1 to add subsequent language to the legislation. It was Seconded by Councilmember Hall and another discussion ensued, in which, Hall withdrew his Second from the Bond Amendment. However, Councilmember Moore made the Second. Following, Bond Amendment #1/#1 FAILED by a roll call vote of 6 yeas; 7 nays. A Motion was then made to Table the ordinance for the Special Called Meeting to be held June 23, 2011. It was Seconded by Councilmember Bond and the Motion CARRIED by a roll call vote of 9 yeas; 3 nays.

Note: After the vote, Chairperson Adrean made a Motion to enter Committee of the Whole. It was Seconded by Councilmember Sheperd and the Motion FAILED by a roll call vote of 7 yeas; 4 nays.

TABLED SUBSTITUTE AS AMENDED BY A ROLL CALL VOTE OF 9 YEAS; 3 NAYS

Council President Ceasar C. Mitchell Presided

COMMITTEE REPORTS (CONT'D)

FINANCE/EXECUTIVE COMMITTEE (3)
YOLANDA ADREAN, CHAIR

ORDINANCES FOR SECOND READING (CONT'D)

- 11-O-0747 (3) A **Substitute** Ordinance by **Finance/Executive Committee** to amend Section 146-26 (b), (c), (d), (e) and (f) of the Code of Ordinances of the City of Atlanta, so as to change the Ad Valorem Tax Rate of Real and Personal Property for the General Levy, Debt Levy, City Parks Levy, School Operating Levy, School Debt Levy City Parks Levy, School Operating Levy, School Debt Levy and the Special Tax District Levy; to provide that the Tax Rates established herein shall remain fixed each year until amended or repealed; and for other purposes.

Chairperson Adrean sounded the caption to Ordinance 11-O-0747 and stated the recommendation from committee was No Recommendation on Substitute. As prerogative as Chair, Mrs. Adrean made a Motion to Table for the Special Called Meeting to be held June 30, 2011. It was properly Seconded and the Motion CARRIED by a roll call vote of 14 yeas; 0 nays.

TABLED SUBSTITUTE BY A ROLL CALL VOTE OF 14 YEAS; 0 NAYS

- 11-O-0748 (4) A **Substitute** Ordinance by **Finance/Executive Committee** to amend Chapter 114, Personnel, Article "IV", Classification Plan of the Code of Ordinances, City of Atlanta, Georgia, so as to provide for certain position abolishments, creations, reclassifications, class abolishments, class creations, class title amendments, above entry authorizations, employee salary adjustments, salary grade amendments, position transfers, position funding allocation changes and other personnel actions in line with the 2012 Budget; and for other purposes.

Chairperson Adrean sounded the caption to Ordinance 11-O-0748 and stated the committee forwarded with No Recommendation on Substitute as Amended. As prerogative as Chair, Mrs. Adrean made a Motion to Table for the Special Called Meeting to be held June 30, 2011. It was properly Seconded and the Motion CARRIED by a roll call vote of 14 yeas; 0 nays.

TABLED SUBSTITUTE AS AMENDED BY A ROLL CALL VOTE OF 14 YEAS; 0 NAYS

Council President Ceasar C. Mitchell Presided

COMMITTEE REPORTS (CONT'D)

FINANCE/EXECUTIVE COMMITTEE (4)
YOLANDA ADREAN, CHAIR

ORDINANCES FOR SECOND READING (CONT'D)

11-O-0944 (5) An Ordinance and Charter Amendment by **Councilmembers Yolanda Adrean, Felicia A. Moore, H. Lamar Willis, Keisha Lance Bottoms, Ivory Lee Young, Jr., Howard Shook, C. T. Martin, Joyce M. Sheperd, Aaron Watson, Alex Wan and Michael Julian Bond** to amend the Charter of the City of Atlanta, Georgia, 1996 Ga Laws P. 4469, et seq., Adopted under and by virtue of the authority of the Municipal Home Rule Act of 1965, O.C.G.A. Section 36-35-1 et seq., as amended, by amending Part 1 (Charter and Related Laws), Subpart A (Charter), Article VI (Revenue and Fund Administration), Chapter 3 (Fiscal Control), to create new Sections 6-313 and 6-314 so as to require that an Actuarial Audit and Experience Study be conducted for the City of Atlanta's General Employee Pension Fund, Firefighter Pension Fund and Police Pension Fund; and for other purposes.

Chairperson Adrean sounded the caption to Ordinance 11-O-0944 and stated the committee recommendation was Favorable as Amended on Condition (receive source of funding) for 2nd Read/1st Adoption. Following, Mrs. Adrean made a Motion to bring forth a Substitute. It was properly Seconded and CARRIED by a roll call vote of 14 yeas; 0 nays. The Substitute was before the Council. Chairperson Adrean then made a Motion to Adopt on Substitute and Refer the ordinance back to the Finance/Executive Committee for 3rd Read/Final Adoption. The Motion CARRIED by a roll call vote of 14 yeas; 0 nays.

REFERRED TO FINANCE/EXECUTIVE COMMITTEE FOR 3RD READING/FINAL ADOPTION BY A ROLL CALL VOTE OF 14 YEAS; 0 NAYS

Council President Ceasar C. Mitchell Presided

COMMITTEE REPORTS (CONT'D)

FINANCE/EXECUTIVE COMMITTEE (5)
YOLANDA ADREAN, CHAIR

ORDINANCES FOR SECOND READING (CONT'D)

11-O-0947 (6) An Ordinance by **Councilmember H. Lamar Willis as Substituted by Finance/Executive Committee** authorizing the City of Atlanta to waive the Competitive Procurement provisions contained in Article X, Procurement and Real Estate Code of the City of Atlanta. To authorize the City Internal Auditor to execute Amendment No. 4 to Contract No. FC-6005007976 between the City of Atlanta and Banks, Finley, White & Company, to extend the contract term for an additional 8 months and add funding in an amount not to exceed \$ 900,000.00; all expenses to be charged to and paid from the FDOA Numbers listed; and for other purposes.

Later during the report, Councilmember Moore made a Motion to Reconsider Ordinance 11-O-0947. It was properly Seconded and Councilmember Willis Called the Question. The Motion CARRIED Without Objection. Subsequently, the Motion to Reconsider CARRIED by a roll call vote of 10 yeas; 4 nays. The item was before Council. Councilmember Moore then made a Motion to Refer the ordinance back to the Finance/Executive Committee. It was properly Seconded and an extensive discussion ensued, during which, Councilmember Moore withdrew her Motion to Refer and made a Substitute Motion to Table. It was Seconded by Councilmember Wan and the Motion CARRIED by a roll call vote of 12 yeas; 1 nay. At the end of the report, Chairperson Adrean returned to Ordinance 11-O-0947 and made a Motion to remove off the Table. It was properly Seconded and CARRIED by a roll call vote of 11 yeas; 1 nay. The ordinance was before Council. Mrs. Adrean then made a Motion to Adopt on Substitute. It was properly Seconded and the Motion CARRIED by a roll call vote of 11 yeas; 1 nay.

ADOPTED SUBSTITUTE BY A ROLL CALL VOTE OF 11 YEAS; 1 NAY

Council President Ceasar C. Mitchell Presided

COMMITTEE REPORTS (CONT'D)

FINANCE/EXECUTIVE COMMITTEE (6)
YOLANDA ADREAN, CHAIR

RESOLUTION

11-R-0376 (1) A **Substitute** Resolution by **Finance/Executive Committee** authorizing the City of Atlanta Internal Auditor to enter into a Contractual Agreement with KPMG, LLP, for FC-5065, City of Atlanta Financial Statement Audit, in an amount not to exceed \$1,260,000.00; all contracted work shall be charged to and paid from the FDOA Numbers listed; and for other purposes.

Chairperson Adrean sounded the caption to 11-R-0376 and stated the committee recommendation was Favorable on Substitute. A discussion ensued, during which, Councilmember Martin made a Substitute Motion to Refer the resolution back to the Finance/Executive Committee. It was Seconded by Councilmember Willis. Discussion continued, in which, Councilmember Willis withdrew his Second on the Motion to Refer, however, Councilmember Bond made the Second. Councilmember Willis then Called the Question. Without Objection, the Motion CARRIED by a roll call vote of 14 yeas; 0 nays. Subsequently, the Motion to Refer CARRIED by a roll call vote of 8 yeas; 6 nays. Later during the report, Councilmember Moore made a Motion to Reconsider Resolution 11-R-0376. It was properly Seconded and a discussion ensued. After which, the Motion to Reconsider CARRIED by a roll call vote of 11 yeas; 3 nays. The resolution was before Council. The original Motion to Adopt on Substitute was then before Council. A discussion ensued, during which, Council deferred the item to later during the meeting. Returning back to the resolution, The Motion to Adopt on Substitute was then CARRIED by a roll call vote of 8 yeas; 4 nays.

ADOPTED SUBSTITUTE BY A ROLL CALL VOTE OF 8 YEAS; 4 NAYS

Council President Ceasar C. Mitchell Presided

COMMITTEE REPORTS (CONT'D)

ZONING COMMITTEE (1)

CLETA WINSLOW, VICE-CHAIR

Attendance at the June 15, 2011 meeting of the Zoning Committee was as follows:

Present: Councilmembers Winslow (Vice-Chair), Smith, Young, Shook, Hall and Bottoms

Absent: Councilmember Watson

ZONING REVIEW BOARD SUMMARY REPORT ITEMS

Ordinances (01 through 02 as follows) were taken as a collective vote.

11-O-0244 (1)
U-11-08

An Ordinance by **Councilmember Alex Wan as Amended by Zoning Committee** granting a Special Use Permit for a Park pursuant to Section 16-06.005 (1) (k) for property located at **1076 and 1082 Saint Charles Place, N.E.** fronting approximately 130 feet on the North side of Saint Charles Place and 128 feet on the East side of North Highland Avenue at the intersection of Saint Charles Place and North Highland Avenue; and for other purposes.

Depth: 128 feet
Area: 0.41 Acre
Land Lot: 16 of the 14th District of Fulton County, Georgia
Owner: Virginia Highland Civic Association, Inc.
Applicant: Virginia Highland Civic Association, Inc.
NPU-F Council District 6

**ADOPTED AS AMENDED BY A ROLL CALL VOTE OF 12 YEAS;
0 NAYS**

11-O-0537 (2)
Z-11-09/Z-05-04
Z-02-20

An **Amended Ordinance by Zoning Committee** to rezone property from the C-1-C (Community Business-Conditional) District to the MRC3-C (Mixed Residential Commercial-Conditional) District, property located at **1119 Memorial Drive, S.E.** fronting approximately 136 feet on the south side of Memorial Drive and the southwest corner of Howell. Depth: approximately 500 feet; Area: 2.23 acres; Land Lots 12 and 13, 14th District, Fulton County, Georgia. Owner: Rathunas On Memorial, LLC; Applicant: Timothy J. Hartgan; NPU-N Council District 5.

**ADOPTED AS AMENDED BY A ROLL CALL VOTE OF 12 YEAS;
0 NAYS**

Council President Ceasar C. Mitchell Presided

COMMITTEE REPORTS (CONT'D)

ZONING COMMITTEE (2)

CLETA WINSLOW, VICE-CHAIR

ZONING REVIEW BOARD SUMMARY REPORT ITEMS (CONT'D)

11-O-0449 (3) An **Amended** Ordinance by **Zoning Committee** granting a Special
U-11-10 Use Permit for a Personal Care Home pursuant to Section 16-
06.005 (1) (g) for property located at **3451 Valley Ridge Terrace,
S.W.** Owner: Tariq Davis; Land Lot 250, 14th District, Fulton
County, Georgia; NPU-P Council District 11.

**Vice-Chairperson Winslow sounded the caption to Ordinance
11-O-0449 and stated the recommendation from committee
was to Adverse. However, Councilmember Bottoms was
recognized and made a Motion to Refer the ordinance back to
Zoning. It was properly Seconded and CARRIED by a roll call
vote of 12 yeas; 0 nays.**

**REFERRED AS AMENDED TO ZONING COMMITTEE BY A ROLL
CALL VOTE OF 12 YEAS; 0 NAYS**

ORDINANCE FOR SECOND READING

10-O-0031 (1) An Ordinance by **Councilmember Aaron Watson as Amended by**
U-09-17 **Zoning Committee** granting a Special Use Permit for a Personal
Care Home pursuant to Section 16-08.005 (1)(f) for property
located at **762 Bender Street, SW**, fronting approximately 60 feet
on the east side of Bender Street, at the southeast corner of
Bender Street and Stephens Street.

Depth:	Varies
Area:	Approximately 0.147 Acre
Land Lot:	86, 14 th District, Fulton County, Georgia
Owner:	Deborah L. Turner
Applicant:	Deborah L. Turner
NPU-V	Council District 4

FILED BY A ROLL CALL VOTE OF 12 YEAS; 0 NAYS

Council President Ceasar C. Mitchell Presided

COMMITTEE REPORTS (CONT'D)

ZONING COMMITTEE (3)

CLETA WINSLOW, VICE-CHAIR

ORDINANCE FOR FIRST READING

11-O-0948 (1)
U-11-22

An Ordinance by **Zoning Committee** granting a Special Use Permit, pursuant to Section 16-11.005(l)(f) and Section 16-12.005(l)(e) for Broadcasting Towers and Line of Site Relay Devices for telephonic, radio or television communications greater than 70 feet in height for property located at **2770 Campbellton Road, SW**. Property fronts 324.9 feet on the south side of Campbellton Road, beginning 895 feet from the southwest corner of Dodson Drive.

Depth:	676.96 Feet
Area:	4.95 Acres
Land Lot:	218, 14 th District, Fulton County, Georgia
Owner:	Morris Habib
Applicant:	Sarran Marshall
NPU-R	Council District 11

REFERRED TO ZONING REVIEW BOARD AND ZONING COMMITTEE BY A ROLL CALL VOTE OF 13 YEAS; 0 NAYS

Council President Ceasar C. Mitchell Presided

COMMITTEE REPORTS (CONT'D)

TRANSPORTATION COMMITTEE (1)

C. T. MARTIN, CHAIR

Attendance at the June 15, 2011 meeting of the Transportation Committee was as follows:

Present: Councilmembers Martin (Chair), Moore, Smith, Bottoms, Willis and Bond

Absent: None

The Standing Committee of Transportation did not have a report.

Council President Ceasar C. Mitchell Presided

COMMITTEE REPORTS (CONT'D)

COMMITTEE ON COUNCIL (1)

FELICIA A. MOORE, CHAIR

Attendance at the June 20, 2011 meeting of the Committee on Council was as follows:

Present: Councilmembers Moore (Chair), Hall, Sheperd, Archibong, Adrean and Winslow

Absent: None

COMMUNICATIONS

11-C-0701 (1) A Communication from **Elizabeth B. Coyle, Chair, BeltLine Network, Inc., to President Ceasar C. Mitchell and Members of Council**, submitting their re-appointment of Ms. Priscilla Smith to the BeltLine Tax Allocation District (TAD) Advisory Committee. This re-appointment is for a term of two (2) years, retroactive to January 01, 2011, scheduled to begin on the date of Council confirmation. **(Favorable by Community Development/Human Resources Committee 6/14/11.)**
CONFIRMED BY A ROLL CALL VOTE OF 13 YEAS; 0 NAYS

11-C-0864 (2) A Communication from **Cathy Richards, President, Atlanta Planning Advisory Board, to Municipal Clerk Rhonda Dauphin Johnson**, submitting Ms. Drewnell Thomas as their representative to serve as a member of the License Review Board. This appointment is scheduled to begin on the date of Council confirmation. **(File by Public Safety & Legal Administration Committee 6/14/11.)**
FILED BY A ROLL CALL VOTE OF 12 YEAS; 0 NAYS

Council President Ceasar C. Mitchell Presided

COMMITTEE REPORTS (CONT'D)

CITY UTILITIES COMMITTEE (1)

NATALYN M. ARCHIBONG, CHAIR

Attendance at the June 14, 2011 meeting of the City Utilities Committee was as follows:

Present: Councilmembers Archibong (Chair), Martin, Adrean, Shook, Smith and Willis

Absent: Councilmember Watson

RESOLUTIONS

11-R-0617 (1) A **Substitute** Resolution by **City Utilities Committee** authorizing the Mayor to enter into Amendment Agreement No. 2 for FC-4084, Valve and Hydrant Asset Assessment Program with WUS-BPA, Joint Venture, LLC, on behalf of the Department of Watershed Management in an amount not to exceed \$9,402,772.00; all contracted work will be charged to and paid from Fund, Department Organization and Account Numbers and PATEO listed; and for other purposes.

Note: Councilmember Adrean stated for the record her abstention to Resolution 11-R-0617 was due to a potential conflict of interest (family relationship).

ADOPTED SUBSTITUTE BY A ROLL CALL VOTE OF 12 YEAS; 0 NAYS; 1 ABSTENTION

11-R-0896 (2) An **Amended** Resolution by **City Utilities Committee** authorizing the Mayor, to amend a Task Order to Arcadis BPA, Joint Venture, for FC-4906A, Annual Contract for Architectural and Engineering Services, FEMA Property Acquisition, on behalf of the Department of Watershed Management to increase the total authorized not to exceed amount for an additional \$165,930.00 for the purpose of providing additional professional services for acquisition of thirteen additional properties under the FEMA Flood Relief Program; all contracted work shall be charged to and paid from the Fund, Department and Account Numbers and PTAE0 Funding listed; and for other purposes.

Note: Councilmember Adrean stated for the record her abstention to 11-R-0896 was due to a potential conflict of interest (family relationship).

ADOPTED AS AMENDED BY A ROLL CALL VOTE OF 11 YEAS; 0 NAYS; 1 ABSTENTION

Council President Ceasar C. Mitchell Presided

COMMITTEE REPORTS (CONT'D)

COMMUNITY DEVELOPMENT/HUMAN RESOURCES COMMITTEE (1)
JOYCE SHEPERD, CHAIR

Attendance at the June 14, 2011 meeting of the Community Development/Human Resources Committee was as follows:

Present: Councilmembers Sheperd (Chair), Wan, Hall, Young, Bond and Winslow

Absent: Councilmember Archibong

ORDINANCES FOR SECOND READING

11-O-0250 (1) An Ordinance by **Community Development/Human Resources**
CDP-11-03 **Committee** to amend the Land Use Element of the 2008 Atlanta
Comprehensive Development Plan (CDP) so as to re-designate
property that is located at **3201 Atlanta Industrial Parkway** from
the "Industrial" Land Use Designation to the "Office-Institutional"
Land Use Designation (Z-11-04); and for other purposes. **(CDP**
Public Hearing held 6/13/11)

NPU-G

Council District 9

FILED BY A ROLL CALL VOTE OF 13 YEAS; 0 NAYS

11-O-0362 (2) An Ordinance by **Community Development/Human Resources**
Committee to create the "Oridan at Willis Mill Housing Urban
Enterprise Zone" located at **64 Willis Mill Road, SW**, Atlanta, GA
30311; to provide exemption from City Ad Valorem Real Property
Taxes for a period of ten years at the rate prescribed by and in
accordance with State Law; to provide notification to affected
governmental entities; and for other purposes. **(Public Hearing held**
6/13/11)

Chairperson Sheperd sounded the caption to Ordinance 11-O-0362 and stated the recommendation from committee was Favorable on Condition (tax concerns). The condition being met, Ms. Sheperd made a Motion to Adopt. Without Objection, the Motion CARRIED by a roll call vote of 13 yeas; 0 nays.

ADOPTED BY A ROLL CALL VOTE OF 13 YEAS; 0 NAYS

Council President Ceasar C. Mitchell Presided

COMMITTEE REPORTS (CONT'D)

PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE (1)
IVORY L. YOUNG, JR., CHAIR

Attendance at the June 14, 2011 meeting of the Public Safety and Legal Administration Committee was as follows:

Present: Councilmembers Young (Chair), Martin, Bottoms, Sheperd, Bond and Wan

Absent: Councilmember Archibong

ORDINANCE FOR SECOND READING

11-O-0938 (1) An Ordinance by **Councilmembers Keisha Lance Bottoms, Ivory L. Young, Jr., C. T. Martin and H. Lamar Willis** to amend Section 62-27.1 of the Code of Ordinances of the City of Atlanta, Georgia, to increase the number of Municipal Court Judges from eight (8) to ten (10); to waive conflicting ordinances; and for other purposes.

Chairperson Young sounded the caption to Ordinance 11-O-0938 and made a Substitute Motion to File. It was properly Seconded and the Motion CARRIED by a roll call vote of 13 yeas; 0 nays.

FILED BY A ROLL CALL VOTE OF 13 YEAS; 0 NAYS

RESOLUTIONS

11-R-0914 (1) A Resolution by **Public Safety and Legal Administration Committee** authorizing the Mayor, on behalf of the City of Atlanta Municipal Court, to execute temporary service contracts with sixteen (16) retired City of Atlanta ("City") Police Officers and four (4) DSI Security Officers, for the purpose of providing Professional Security Services at the Municipal Court of Atlanta for a period of one (1) year in FY12, in an amount not to exceed \$742,093.00. All costs to be charged to the Fund, Department, Account, and Function Activity listed; and for other purposes.

Chairperson Young sounded the caption to Resolution 11-R-0914 and stated the committee recommendation was Favorable on Condition (receive information of the dollar amount). The condition being met, a Motion to Adopt was then CARRIED by a roll call vote of 13 yeas; 0 nays.

ADOPTED BY A ROLL CALL VOTE OF 13 YEAS; 0 NAYS

Council President Ceasar C. Mitchell Presided

COMMITTEE REPORTS (CONT'D)

PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE (2)
IVORY L. YOUNG, JR., CHAIR

RESOLUTIONS (CONT'D)

- 11-R-0917 (2) A Resolution by **Public Safety and Legal Administration Committee** authorizing the Mayor and Chief Financial Officer to transfer Funds from Fund 1001.230201.5111003.3520000 (General Fund) to Fund 5502.000002.3921001.0000000 (Enterprise Fund) in the amount of \$8,000.00 on behalf of the Department of Fire Rescue for the purpose of purchasing two used fire apparatus to enhance the Department's Reserve Fleet; and for other purposes.
FILED BY A ROLL CALL VOTE OF 13 YEAS; 0 NAYS

PERSONAL PAPERS

Council President Ceasar C. Mitchell Presided

PERSONAL PAPERS

RESOLUTION/ADOPTED

- 11-R-0998 (1) A Resolution by **Councilmembers Michael Julian Bond, Keisha Bottoms, Kwanza Hall, Joyce M. Sheperd, H. Lamar Willis and Aaron Watson** recognizing June 27, 2011 as National HIV Testing Day; and supporting the efforts of the World Conference of Mayors and the National Association of People with AIDS (NAPWA) to educate the public as regards HIV/AIDS prevention; and for other purposes.

Councilmember Bond made a Motion to Adopt Resolution 11-R-0998. It was properly Seconded and the Motion CARRIED by a roll call vote of 13 yeas; 0 nays.

ADOPTED BY A ROLL CALL VOTE OF 13 YEAS; 0 NAYS

ORDINANCES/REFERRED

- 11-O-0985 (1) An Ordinance by **Councilmembers H. Lamar Willis and Aaron Watson** authorizing the Chief Financial Officer to amend the FY 2012 (Expendable Trust Fund) Budget by adding to anticipations and appropriations sales proceeds in the total amount of Six Million, Six Hundred Seventy Thousand Dollars and No Cents (\$6,670,000) from the sale of the City of Atlanta's interests in certain properties located in Land Lot 50 of the 14th District of Fulton County, Georgia for Post Apartment Homes; and for other purposes.

REFERRED TO FINANCE/EXECUTIVE COMMITTEE WITHOUT OBJECTION

- 11-O-0987 (2) An Ordinance by **Councilmembers Felicia A. Moore and Joyce M. Sheperd** to amend Rule XIX of the Rules of Council to clarify the role of the Committee on Council in the council confirmation process; and for other purposes.

REFERRED TO COMMITTEE ON COUNCIL WITHOUT OBJECTION

- 11-O-0988 (3) An Ordinance by **Councilmember Joyce M. Sheperd** amending the 2011 (WIA Youth Job Training Fund) Budget, Atlanta Workforce Development Agency, by adding to anticipations and appropriations in the amount of Two Million Twenty Eight Thousand Two Hundred Seventy Nine Dollars (\$2,028,279.00) in the Workforce Investment Act WIA Youth Fund from the Georgia Department of Labor, to provide job training and other skills to local area youth; and for other purposes.

REFERRED TO COMMUNITY DEVELOPMENT/HUMAN RESOURCES COMMITTEE WITHOUT OBJECTION

Council President Ceasar C. Mitchell Presided

PERSONAL PAPERS (CONT'D)

ORDINANCES/REFERRED (CONT'D)

- 11-O-0990 (4) An Ordinance by **Councilmember Ivory Lee Young, Jr.** amending the Atlanta Code of Ordinances, Section 114-126(a) by replacing language stating that employees “May” receive an annual performance-based salary increase, with language stating that employees “Shall” receive an annual performance-based salary increase; and for other purposes.

REFERRED TO FINANCE/EXECUTIVE COMMITTEE WITHOUT OBJECTION

- 11-O-0993 (5) An Ordinance by **Councilmember Kwanza Hall** an ordinance to enact the 2011 Amendment to the General Employees Pension Fund Act, the City’s Firefighters’ Pension Fund Act, the City’s Police Officers’ Pension Fund Act so as to create Section 6-37.1 of the Related Laws Section of Volume I containing the Charter and Code of Ordinances of the City of Atlanta, Georgia, which amendment shall: 1) to exempt permanent, full-time, active officers and employees hired before January 1, 1984 from the provisions of this amendment; 2) provide for a temporary adjustment to the employee contribution; 3) create a new Defined Contribution Plan for eligible employees hired on or after November 1, 2011; 4) offering all current employees the option of joining the 2011 Defined Contribution Plan; 5) offering all current employees the option of joining Social Security; 6) giving all current and future Grade 18 or below employees a one time option to enter into the 2011 Defined Benefit Plan or the Defined Contribution Plan; 7) requiring all future Grade 19 and above employees to join Social Security; and 8) reducing the maximum cost of living adjustment on all pension benefits to 1%; and to waive conflicting laws, ordinances and code sections; and for other purposes.

REFERRED TO FINANCE/EXECUTIVE COMMITTEE WITHOUT OBJECTION

- 11-O-0994 (6) An Ordinance by **Councilmembers Kwanza Hall, Natalyn Archibong, Carla Smith, Alex Wan and Yolanda Adrean** to amend Section 30-1461 (Private Property Vending –Definitions) and to create new sections to the private property vending regulations, beginning with Code Section 30-1471 of the Code of Ordinances of the City of Atlanta, Georgia, so as to establish regulations for vending from mobile food units; to waive conflicting ordinances and code sections; and for other purposes.

REFERRED TO PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE WITHOUT OBJECTION

Council President Ceasar C. Mitchell Presided

PERSONAL PAPERS (CONT'D)

ORDINANCES/REFERRED (CONT'D)

- 11-O-0995 (7) An Ordinance by **Councilmember Kwanza Hall** to amend Section 10-209 (c)(1) and (d)(1) of the Code of Ordinances of the City of Atlanta, Georgia so as to establish a new closing time for those establishments licensed to sell alcoholic beverages for on-premises consumption; and for other purposes.
REFERRED TO PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE WITHOUT OBJECTION
- 11-O-0996 (8) An Ordinance by **Councilmembers Felicia A. Moore, Joyce M. Sheperd, Natalyn Archibong, Yolanda Adrean, Kwanza Hall, Michael Julian Bond and Alex Wan** to amend Section 62-27.1 of the Code of Ordinances of the City of Atlanta, Georgia, so as to decrease the number of Municipal Court Judges from ten (10) to eight (8); to waive conflicting ordinances and code sections; and for other purposes.
REFERRED TO PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE WITHOUT OBJECTION
- 11-O-0997 (9) An Ordinance by **Councilmembers Alex Wan and Kwanza Hall** extending the authorization of the transfer of property located at **695 Ponce De Leon Ave., N.E.**, also known as City Hall East to the Atlanta Development Authority; authorizing the assignment of the contracts and agreements associated with the property; authorizing the Mayor to execute a quitclaim deed transferring the property to the Atlanta Development Authority; and for other purposes.
REFERRED TO FINANCE/EXECUTIVE COMMITTEE WITHOUT OBJECTION

RESOLUTIONS/REFERRED

- 11-R-0986 (1) A Resolution by **Councilmember Joyce M. Sheperd** to amend Resolution 11-R-0770 so as to add a new member to the Tire Commission; and for other purposes.
REFERRED TO COMMUNITY DEVELOPMENT/HUMAN RESOURCES COMMITTEE WITHOUT OBJECTION
- 11-R-0989 (2) A Resolution by **Councilmembers Aaron Watson, Carla Smith, Cleta Winslow, Ivory Lee Young, Jr., Keisha Bottoms, C. T. Martin and H. Lamar Willis** requesting that the Department of Law and Finance launch a study of the operational impact of a modification of the number of judges in the Municipal Court of Atlanta; such operational impact study to be presented to the City Council by no later than August 31, 2011; and for other purposes.
REFERRED TO PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE WITHOUT OBJECTION

Council President Ceasar C. Mitchell Presided

PERSONAL PAPERS (CONT'D)

RESOLUTIONS/REFERRED (CONT'D)

- 11-R-0991 (3) A Resolution by **Councilmember Kwanza Hall** to express the intent of the Atlanta City Council to amend the FY 2012 General Fund Budget by implementing a furlough plan for nonexempt employees; and for other purposes.
REFERRED TO FINANCE/EXECUTIVE COMMITTEE WITHOUT OBJECTION
- 11-R-0992 (4) A Resolution by **Councilmember Kwanza Hall** a resolution of intent by the Atlanta City Council that all legislation to amend the City's General Employees Pension Fund, Firefighter Pension Fund, Police Officer Pension Fund and Defined Contribution Pension Plan include support documentation indicating the costs/savings, budget impact and timeline for implementation; and for other purposes.
REFERRED TO FINANCE/EXECUTIVE COMMITTEE WITHOUT OBJECTION

ADJOURNMENT

Council President Ceasar C. Mitchell Presided

ADJOURNMENT

There being no further business to discuss, the June 20, 2011 meeting of the Atlanta City Council was adjourned at 8:38 p.m.

ADJOURNMENT ROLL CALL: Council President Ceasar C. Mitchell (1); Councilmembers Hall, Young, Winslow, Archibong, Wan, Adrean, Moore, Martin, Bottoms, Sheperd, Bond, Watson and Willis (13); Councilmember Smith was excused (1).